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#7/A-16418
CASE 100-8024D
4/2/02

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1641

SEDRANI ET AL.

Examiner: M. Ceperley

APPLICATION NO: 09/757,212

FILED: JANUARY 9, 2001

FOR: RAPAMYCIN ASSAY

RECEIVED

MAR 22 2002

TECH CENTER 1600, 1370

Assistant Commissioner for Patents
Washington, D.C. 20231

REPLY AND AMENDMENT

Sir:

This is in reply to an Office Action dated October 3, 2001.

IN THE CLAIMS:

Cancel claims 1-7, 11, and 12.

REMARKS

The claims are 8-10. The non-elected claims are cancelled without prejudice to applicants' rights thereto.

Claims 8-10 are rejected under 35 U.S.C. 103 as obvious over a combination of 12 references. The rejection is traversed. These references show that rapamycins are known and also that it is known to make antibodies from compounds other than rapamycin. However, the problem with trying to use rapamycins as antigens is that they are immunosuppressive, i.e., the antitheses of the types of compounds from which antibodies would be expected to be raised. Of the references cited, only Rosenthaler refers to immunosuppressive compounds. The comments below with regard to Niwa apply analogously to Rosenthaler. Further, the cyclosporins of

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